

Serial No. 10/773,441

Attorney Docket No. 26C-031

REMARKS

The applicant appreciates the acknowledgement of the claim for priority under section 119 and the notice that the certified copy of the priority document has been received.

Also, applicant thanks the examiner for the initialed form PTO 1449 that was filed on 9 September 2004.

Claims 1 – 3 are pending. The applicant respectfully requests reconsideration and allowance of this application in view of the above amendments and the following remarks.

Claims 1 – 3 were rejected under 35 USC 102(e) as being anticipated by U.S. Patent No. 6,659,502, Breyvogel et al. ("Breyvogel"). Insofar as the rejection may applied to the claims as amended, the applicant respectfully requests that this rejection be withdrawn for reasons including the following, which are provided by way of example.

As described in the application, one or more aspects is directed to solving the problem of an object which may be positioned in the area of deployment of one of the vertical chambers. (E.g., specification page 2, lines 1 - 7.)

Claim 1 recites in combination, for example, an airbag comprising a gas feed passage disposed along an upper edge of the airbag; a shielding portion with a plurality of vertical chambers, each of the vertical chambers being disposed vertically upon deployment of the airbag and being communicated with the gas feed passage; the gas feed passage is adapted to guide inflation gas discharged from the inflator to the shielding portion. Claim 1 also recites, in combination, at least one horizontal chamber located between at least one pair of the vertical chambers neighboring each other.

Serial No. 10/773,441

Attorney Docket No. 26C-031

In operation, because both of the vertical chambers are communicated with the gas feed passage, at the beginning of airbag deployment, the inflation gas flows from the gas feed passage into the vertical chambers along the vertical direction, then the whole shielding portion can be extended downward and expanded quickly. Accordingly, the expanded airbag can rapidly cover a wide area.

Also, if an object such as a head interferes with a lower side of a vertical chamber, the inflation gas which flowed into the vertical chamber is able to escape into the horizontal chamber communicating with the middle of the vertical chamber. Accordingly, even when there is an object in the way, the airbag can rapidly expand downward while reducing pressure on the object.

The office action asserts that Breyvogel discloses the invention as claimed. To the contrary, Breyvogel fails to teach or suggest the invention, as presently claimed, when the claims are considered as a whole. Breyvogel fails to disclose the recited airbag. Breyvogel arguably provides an airbag with a pair of vertical chambers and a horizontal chamber located between the pair of vertical chambers. Nevertheless, in Breyvogel, the vertical chamber located at the rear side is communicated only with a horizontal chamber on a lower side. The vertical chamber located at the rear side is not communicated with the gas feed passage. Therefore, in an airbag according to Breyvogel, at the beginning of deployment, the vertical chamber located at the rear side cannot be inflated quickly.

In Breyvogel, the inflation gas flows into the vertical chamber located at the rear side from the lower end communication with the horizontal chamber. In other words, the vertical chamber located at the rear side can be expanded after the vertical chamber located at the front side is completely extended. Therefore, at the beginning of the deployment of Breyvogel's airbag, the airbag cannot extend and expand quickly and widely. In addition, when an object

Serial No. 10/773,441

Attorney Docket No. 26C-031

interferes with Breyvogel's vertical chamber at the front side, the inflation gas in the front side vertical chamber cannot expand into the horizontal chamber, because the opening of the horizontal chamber is located at the lower side of the airbag and blocked by the object.

Breyvogel fails to teach or suggest, for example, these elements recited in independent claim 1. It is respectfully submitted therefore that claim 1 is patentable over Breyvogel.

For at least these reasons, the combination of features recited in independent claim 1, when interpreted as a whole, is submitted to patentably distinguish over the prior art. In addition, Breyvogel clearly fails to show other recited elements as well.

With respect to the rejected dependent claims, applicant respectfully submits that these claims are allowable not only by virtue of their dependency from independent claim 1, but also because of additional features they recite in combination.

New claims 4 – 6 have been added to further define the invention, and are believed to be patentable for reasons including these set out above. Support for claims 4 – 6 is located in the specification, respectively, at page 9, lines 6 – 9; page 9 lines 3 – 4 and 11 – 14; and page 10, lines 12 – 25.

Applicant respectfully submits that, as described above, the cited prior art does not show or suggest the combination of features recited in the claims. Applicant does not concede that the cited prior art shows any of the elements recited in the claims. However, applicant has provided specific examples of elements in the claims that are clearly not present in the cited prior art.

Applicant strongly emphasizes that one reviewing the prosecution history should not interpret any of the examples applicant has described herein in connection with distinguishing over the prior art as limiting to those specific features in isolation. Rather, for the sake of

Serial No. 10/773,441

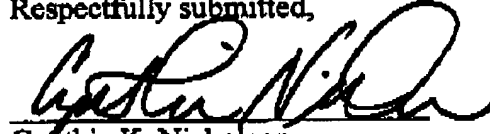
Attorney Docket No. 26C-031

simplicity, applicant has provided examples of why the claims described above are distinguishable over the cited prior art.

In view of the foregoing, the applicant submits that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

If there are any problems with the payment of fees, please charge any underpayments and credit any overpayments to Deposit Account No. 50-1147.

Respectfully submitted,



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